



IAP10 Rec'd PCT/PTO 28 DEC 2005

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DOCKET NO.: P0777.70003US00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Feiner et al. ✓  
Serial No.: 10/533,430  
Confirmation No.: 9003  
Intern. Appln. No.: PCT/EP03/12076  
Intern. Filing Date: October 30, 2003  
For: INHALATION THERAPY DEVICE

Examiner: Not yet assigned  
Art Unit: 3743

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to MAIL STOP MISSING PARTS, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 21st day of December, 2005.

Doris A. Champagne  
Doris A. Champagne

MAIL STOP MISSING PARTS

Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith are the following documents:

- Notification of Missing Requirements
- Declaration (executed)
- Application Data Sheet
- Preliminary Amendment
- Fee Calculation Sheet
- Petition for 1 Month Extension of Time
- Information Disclosure Statement
- PTO Form 1449 with cited references
- Copy of International Search Report dated January 22, 2004
- Return Receipt Postcard

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 646-8000, Boston, Massachusetts.

Serial No.: 10/533,430  
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A check in the amount of \$ 850.00 is enclosed to cover the late oath or declaration surcharge (\$130), the search fee (\$400), the examination fee (\$200) and the one-month extension fee (\$120). If the fee is insufficient, the balance may be charged to Deposit Account 23/2825. A duplicate of this sheet is enclosed.

Respectfully submitted,  
*Feiner et al., Applicant*

By:

William R. McClellan  
William R. McClellan, Reg. No.: 29,409  
Wolf, Greenfield & Sacks, P.C.  
600 Atlantic Avenue  
Boston, Massachusetts 02210-2206  
Telephone: (617) 646-8000

Docket No.: P0777.70003US00  
Date: December 21, 2005  
**x12/26/05x**

Inventor(s): Feiner et al.

Serial No.: 10/533,430

Confirmation No.: 9003

Intern. Appln. No.: PCT/EP03/12076

Intern. Filing Date: October 30, 2003

CHECK BOX, if applicable:

For: INHALATION THERAPY DEVICE

 DUPLICATE

## Fee Calculation Sheet

CLAIMS	FOR	NUMBER FILED	NUMBER EXTRA	RATE	FEES
	TOTAL CLAIMS (37 CFR 1.16(i))	15-20 =	0 x	\$ 50.00	= \$ 0.00
	INDEPENDENT CLAIMS (37 CFR 1.16(h))	1-3 =	0 x	\$ 200.00	= \$ 0.00
	APPLICATION SIZE FEE (37 CFR 1.16(s))	20=	0 x	\$ 250.00	= \$ 0.00
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d)) +			\$ 360.00	= \$ 0.00
				BASIC FEE (37 CFR 1.16(a), (b), or (c))	\$ 0.00 (previously paid)
				SEARCH FEE (37 CFR 1.16(k), (l), or (m))	\$ 400.00
				EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	\$ 200.00
				Fee for Petition for Extension of Time (if any)	\$ 120.00
				Other Fees (if any) (Late Oath or Declaration Surcharge)	\$ 130.00
				Total of above Calculations =	\$ 850.00
				Reduction by 50% for filing by small entity (Note 37 CFR 1.9, 1.27, 1.28)	\$ 0.00
				Assignment Recordation Fee (if any)	\$ 0.00
				TOTAL =	\$ 850.00

1. A check in the amount of \$850.00 is enclosed.

## General Authorization to Charge Deposit Account and General Request for Extension of Time

2. a.  If the filing of any paper in this application necessitates the payment of a fee under 37 CFR §§  1.16 or  1.17, and the fee due is in an amount different from any enclosed check or if no check is enclosed, the Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 23/2825.
- b.  The applicant hereby revokes any prior authorization to charge a fee due under 37 CFR §§  1.16  1.17 or  1.18.
3. If the filing of any paper in this application necessitates an extension of time under 37 CFR § 1.136(a), the applicant hereby requests such extension of time. If the fee due is in an amount different from any enclosed check or if no check is enclosed, the Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 23/2825.

*William R. McClellan*

William R. McClellan, Reg. No. 29,409  
 Wolf, Greenfield & Sacks, P.C.  
 600 Atlantic Avenue  
 Boston, Massachusetts 02210-2206  
 Telephone: (617) 646-8000

WRM



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/533,430	Franz Feiner	P0777.70003US00
		INTERNATIONAL APPLICATION NO.
		PCT/EPO3/12076
		LA. FILING DATE
		10/30/2003
		PRIORITY DATE
		10/30/2002

23628

WOLF GREENFIELD & SACKS, PC  
 FEDERAL RESERVE PLAZA  
 600 ATLANTIC AVENUE  
 BOSTON, MA 02210-2211

CONFIRMATION NO. 9003  
 371 FORMALITIES LETTER  
 \*OC000000017100967\*  
 \*OC000000017100967\*

Date Mailed: 09/26/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 04/29/2005
- English Translation of the IA filed on 04/29/2005
- Copy of the International Search Report filed on 04/29/2005
- Copy of IPE Report filed on 04/29/2005
- U.S. Basic National Fees filed on 04/29/2005
- Priority Documents filed on 04/29/2005
- Specification filed on 04/29/2005
- Claims filed on 04/29/2005
- Abstracts filed on 04/29/2005
- Drawings filed on 04/29/2005

Confirmation	Initials
Docketing	<input type="checkbox"/> <input checked="" type="checkbox"/> LA
11/26/05	
WRM	
DOCKETED	
SEP 30 2005	

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of \$360 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the

missing items identified in [redacted] letter.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$1090** for a Large Entity:

- **\$130 Surcharge.**

- The application search fee has not been paid. Applicant must submit **\$400** to complete the search fee. Note a surcharge will be required if submitted later than commencement of the national stage (37 CFR 1.492(h)) and the basic national fee was not paid before July 1, 2005.
- The application examination fee has not been paid. Applicant must submit **\$200** to complete the examination fee for a non-small entity. Note a surcharge will be required if submitted later than commencement of the national stage (37 CFR 1.492(h)) and the basic national fee was not paid before July 1, 2005.

- Total additional claim fee(s) for this application is **\$ 360**

- **\$360** for multiple dependent claim surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

VONDA M WALLACE

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Telephone: (703) 308-9140 EXT 225

**PART 1 - ATTORNEY/APPLICANT COPY**

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U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/533,430	PCT/EP03/12076	P0777.70003US00